

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

GLEN **AXELROD** and WALTER LEE,

Junior Party
(Application 09/914,047),

v.

SCOTT **PIVONKA** and JOHN TOTTLEBEN

Senior Party
(Patent 6,408,797 B2).

Patent Interference 105,507 JL
Technology Center 3600

Before FRED E. McKELVEY, *Senior Administrative Patent Judge*, and
JAMESON LEE and JAMES T. MOORE, *Administrative Patent Judges*.

MOORE, *Administrative Patent Judge*

JUDGMENT

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4 In view of the record, and for the reasons given in the Memorandum
5 Opinions (Paper 52 and Paper **56**), it is

ORDERED that judgment be entered against Senior Party Pivonka for
Count 1 (Paper 1);

FURTHER ORDERED that claims 1-9 of Pivonka's involved patent be CANCELED, 35 U.S.C. § 135(a);

FURTHER ORDERED that claims 16-18 of Axelrod's involved application be FINALLY REFUSED, 35 U.S.C. § 135(a); and

FURTHER ORDERED that a copy of this judgment be entered in the administrative records of the involved Pivonka patent and Axelrod application.

/ss/ Fred E. McKelvey
FRED E. McKELVEY
Senior Administrative Patent Judge

/ss/ Jameson Lee
JAMESON LEE
Administrative Patent Judge

/s/ James T. Moore
JAMES T. MOORE
Administrative Patent Judge

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) PATENT
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) AND
) INTERFERENCES

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